

Facts and Trendsⁱ

- Despite mounting corrections spending, recidivism rates remain high. According to the most recent data from the Bureau of Justice Statistics, 68 percent of prisoners released from state prisons were arrested for a new crime within 3 years of release and 77 percent were arrested within 5 years.
- A 10-percent cut in recidivism rates nationally would save states a combined \$635 million in 1 year of averted prison construction costs.
- Research has identified practices and programs that can effectively reduce recidivism.
- Policymakers often do not have information about which factors are driving crime, recidivism rates, and the growth of correctional populations. Most state policymakers make decisions about prison and public safety policies without comprehensive, independent analyses of their criminal justice data.

Federal Funding for the Justice Reinvestment Initiative

Recognizing the early successes of justice reinvestment, in 2010 Congress appropriated funding to the Bureau of Justice Assistance to create the Justice Reinvestment Initiative.

FY2010	\$10 million
FY2011	\$8.3 million
FY2012	\$6 million
FY2013	\$5.88 million
FY2014 Omnibus	\$27.5 million
FY2015	\$27.5 million
FY2016	\$27.5 million

JUSTICE CENTER
THE COUNCIL OF STATE GOVERNMENTS

The Justice Reinvestment Initiative

Backgroundⁱⁱ

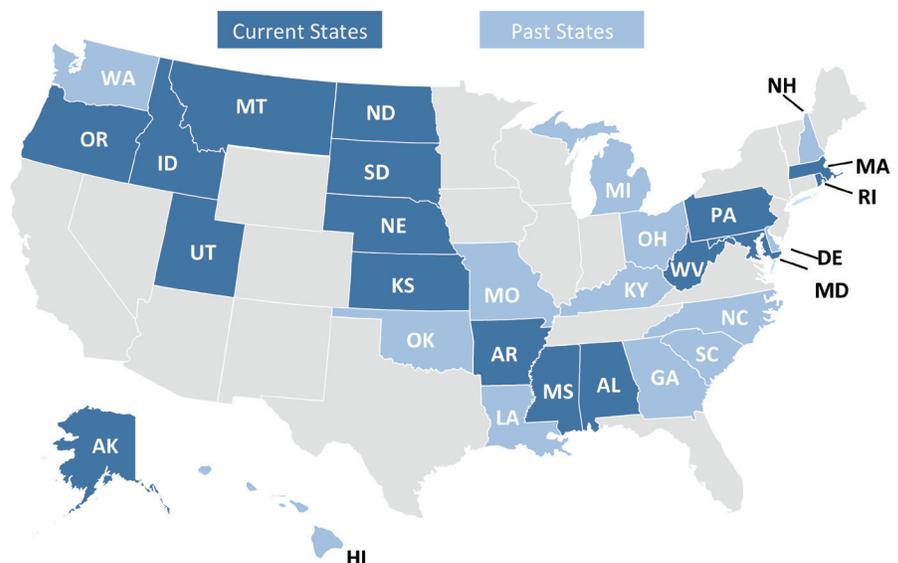
Over the past 26 years, state spending on corrections has skyrocketed nationally—from \$12 billion in 1988 to more than \$55 billion in 2013. It is estimated that data from 2015 will show an additional increase of 4 percent, raising the figure to approximately \$57.2 billion. This cost puts a serious strain on many states' criminal justice systems, often placing concerns about the bottom line in competition with public safety. Strategies tested in many states, however, show there are effective ways to address the challenge of containing rising corrections costs while also increasing public safety.

Justice Reinvestment Works

Justice reinvestment is a data-driven approach to reduce corrections and related criminal justice spending, and reinvest savings in strategies that improve public safety. Justice reinvestment helps states identify the drivers of rising corrections costs and crime and to develop state-specific solutions. By managing criminal justice populations more cost effectively, states generate savings to reinvest in evidence-based strategies to increase public safety while holding offenders accountable. With help from technical assistance providers, states that adopt a justice reinvestment approach collect and analyze data on drivers of corrections costs and prison population growth, identify and implement changes to increase efficiencies, and measure both the fiscal and public safety impacts of those changes.

Assisted by the federal investment in the Justice Reinvestment Initiative (see sidebar), 30 states have used the justice reinvestment approach since 2010 to pursue policies to slow overall prison growth, and for some states, reduce the total prison population. Through justice reinvestment, together these states are projected to save more than \$4.6 billion in averted prison operating and construction costs while also investing hundreds of millions in effective supervision and treatment programs to make communities safer.ⁱⁱⁱ

Justice Reinvestment Initiative States



Justice Reinvestment in Action: Selected Case Studies

Idaho

Between 2008 and 2013, Idaho's prison population increased by 10 percent and was projected to grow an additional 16 percent by FY2019. In March 2014, policymakers enacted SB 1357, which improves diversion programs, structures release decision making, and strengthens supervision to help reduce recidivism and is projected to avert up to \$157 million in construction and operations costs. Idaho policymakers reinvested more than \$5 million to support new probation and parole officer positions, enhance the skills of the supervision workforce, and expand substance use treatment capacity.

Pennsylvania

Between 2007 and 2011, Pennsylvania's prison population increased 12 percent, resulting in overcrowded prisons and a pressing need to build new facilities. In 2012, policymakers enacted legislation to improve community correction programs, divert low-level misdemeanants from prison, and reduce parole revocations. As a result of these policies and related efforts, the decline in the prison population from 2014 to 2015 was the biggest in more than 40 years, and Pennsylvania ended 2015 with its lowest prison population since March 2009.

Alabama

In 2014, Alabama had the most crowded prison system in the nation (195 percent of capacity), and in its overwhelmed probation and parole systems, caseloads averaged close to 200 cases per officer. In 2015, state leaders enacted SB 67 to address these challenges by strengthening community-based supervision through the use of graduated sanctions for violations of probation and parole, diverting the lowest-level drug and property offenders from prison to community corrections programs, and ensuring supervision for everyone upon release from prison. These policies are projected to reduce Alabama's prison population by 16 percent and save \$380 million in averted construction and operating costs by FY2021. In a year when all budgets were cut dramatically amid a fiscal crisis, the legislature appropriated \$16 million to fund SB 67 in 2016.

West Virginia

Between 2000 and 2011, West Virginia's prison population increased 50 percent and was expected to increase 24 percent between 2012 and 2018. In 2013, West Virginia policymakers enacted SB 371, which reduces parole delays, expands drug courts, and strengthens supervision and improves substance use treatment to help reduce recidivism. The state legislature also appropriated \$9 million over three years in substance use treatment in local communities. These policies are expected to effectively address the drivers of West Virginia's prison population growth and eliminate the need to spend more than \$287 million to build and operate more facilities.

Mississippi

Over the past decade, Mississippi has had one of the nation's highest and fastest-growing incarceration rates. In March 2014, Governor Phil Bryant signed a comprehensive package of criminal justice legislation that is expected to save the state at least \$266 million over the next decade by averting projected prison population growth and safely reducing the prison population below 2014 levels. The new law enhances certainty and clarity in sentencing, focuses on providing prison space for violent and career offenders, expands judicial discretion in imposing alternatives to incarceration for lower-level offenders, strengthens supervision and interventions to reduce recidivism, and establishes performance objectives and measures.

North Carolina

North Carolina faced rising corrections costs and a prison population projected to grow 10 percent by FY2020. In response, state lawmakers passed comprehensive legislation in 2011 that focuses supervision and treatment resources where they can have the greatest impact. The Department of Public Safety is required to concentrate supervision resources on high-risk individuals and probation officers are now empowered to employ swift and certain sanctions to respond to probation violations. The legislation also ensures that every individual convicted of a felony who leaves prison will receive supervision. Four years after these reforms, probation revocations are down by 50 percent, admissions to prison have declined 19 percent, and the state's prison population has dropped 9 percent, allowing the state to close 11 small prisons. The state's crime rate continues to decline and has fallen 17 percent since enactment of justice reinvestment legislation. North Carolina is expected to generate \$560 million in averted costs and cumulative savings by 2017.

Hawaii

Between 2000 and 2011, Hawaii's prison and jail population increased by 18 percent. To address this growth, Hawaii contracted with mainland facilities to house approximately one-third of its prisoners, costing the state more than \$40 million in FY2010. In May 2012, policymakers passed two pieces of legislation that require the use of a pretrial risk assessment tool, reduce sentences for certain parole violations and drug offenses, expand the parole board, and enhance community-based treatment. As part of Hawaii's \$10.6 million reinvestment, significant efforts were also made to enhance support services for victims of crime. Hawaii hired 15 victim services staff statewide who provided more than 17,000 services to crime victims in the three years post-justice reinvestment enactment, including safety planning, offender status notification, restitution notification, and restitution verification.

Notes

i. Bureau of Justice Assistance, "Recidivism of Prisoners Released in 30 States In 2005: Patterns from 2005 to 2010," NCJ: 244205 (Washington, DC: U.S. Department of Justice, 2014); The Pew Charitable Trusts, "State of Recidivism: The Revolving Door of America's Prisons" (Washington, DC: The Pew Charitable Trusts, 2011).

ii. National Association of State Budget Officers, "Fiscal Year 2013–2015 State Expenditure Report" (Washington, DC: National Association of State Budget Officers, 2015); The Pew Charitable Trusts, "States Cut Both Crime and Imprisonment" (Washington, DC: The Pew Charitable Trusts, 2013).

iii. The Urban Institute, *Justice Reinvestment Initiative: State Assessment Report* (Washington, DC: The Urban Institute, 2014).